

SPS/TBT Notifications Affecting Agricultural Trade

Listed below are proposed changes in international agricultural, food and related standards as notified via the World Trade Organization; The first table provides a summary of all notifications; Individual details follow separately. Interested parties may a full text of any notification for review and COMMENT; simply check the "Request a Copy" check box next to the Notification and return by fax (202) 720-7772 (temporarily) to the attention of Deborah A. Thompson, Food Safety Technical Services Division USDA/FAS.

Please provide us with your E-mail address (on the request form). For questions regarding policy matters, call Carolyn Fillmore Wilson (202) 720-2239, otherwise Ms. Thompson at (202) 720-9124 for address/telephone changes.

NOTE - Please include your name/fax number on all request forms.

<u>Type</u>	<u>WTO Number</u>	<u>Product</u>	<u>Country</u>	<u>FSTSD #</u>	<u>Request a Copy</u>
SPS	NZL/168	Breadfruit/Fruit Fly Eggs	New Zealand	02.0086	<input type="checkbox"/>
SPS	LVA/46	Ware and Seed Potato Ban-certain countries	Latvia	02.0087	<input type="checkbox"/>
SPS	USA/559	Pesticides-Humic Acid Potassium Salt	United States of America	02.0088	<input type="checkbox"/>
TBT	MEX/15	Forestry Raw Materials-Origin Identification	Mexico	02.0053	<input type="checkbox"/>
TBT	USA/17	Chromated Copper Arsenate Products	United States of America	02.0054	<input type="checkbox"/>

FSTSD # 02.0086 **Country -** New Zealand **Product -** Breadfruit/Fruit Fly Eggs
Comment Deadline Date - 3/28/2002 **Enforcement Date -** 04/08/02 **WTO Type/Number -** SPS NZL/168
Objective - Plant Protection

Description - Due to the ongoing interceptions of viable fruit fly eggs (*Bactrocera xanthodes*) via passenger accompanied consignments of cooked breadfruit (*Artocarpus altilis*), (25 interceptions in the last 12 months) the New Zealand Ministry of Agriculture and Forestry (NZ MAF) will be prohibiting the importation of cooked breadfruit (private accompanied and unaccompanied consignments) from all Pacific Island countries from 8 April 2002.

It is possible however, to still export breadfruit to New Zealand via the High Temperature Forced Air (HTFA) pathway. The breadfruit will need to be accompanied by an appropriately endorsed phytosanitary certificate and packaged in accordance with section 5.2 of the MAF Plants Biosecurity Standard 152.02 "Importation and Clearance of Fresh Fruit and Vegetables into New Zealand".

Changes to the phytosanitary requirements have been summarized below:

1. Breadfruit shall be accompanied by a valid phytosanitary certificate (with requisite additional declarations) issued by the NPPO
2. Breadfruit shall be treated by high temperature forced air (47.2°C for 20 minutes).
3. Breadfruit shall be packaged in pest proof packaging. All packages shall be sealed with a destructible sticker/label identifying the plant quarantine authority in the exporting country and directly traceable to the phytosanitary certificate

FSTSD # 02.0087 **Country -** Latvia **Product -** Ware and Seed Potato Ban-certain countries
Comment Deadline Date - **Enforcement Date -** 02/01/02 **WTO Type/Number -** SPS LVA/46
Objective - Plant Protection, Protect Humans from Animal/Plant Pest or Disease. To prevent the introduction of *Clavibacter michiganensis* subsp. *Sepedonicus* from countries, which do not have plant quarantine status for this disease and in which the spread or status of this disease is unknown.

Description - Temporary ban of import and movement of potato consignments from Russian

FSTSD # 02.0087 **Country -** Latvia **Product -** Ware and Seed Potato Ban-certain countries
Federation, Republic of Ukraine and Republic of Belarus.

EMERGENCY MEASURE: Nature of the urgent problem(s): Protection of seed potato production in the country.

FSTSD # 02.0088 **Country -** United States of A **Product -** Pesticides-Humic Acid Potassium Salt
Comment Deadline Date - 4/5/2002 **Enforcement Date -** **WTO Type/Number -** SPS USA/559

Objective - Food Safety

Description - This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

EPA has received a pesticide petition proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to establish an exemption from the requirement of a tolerance for residues of humic acid, potassium salt when used as an inert ingredient in pesticide formulations applied to growing crops, raw agricultural commodities (RAC) after harvest, or to animals. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

FSTSD # 02.0053 **Country -** Mexico **Product -** Forestry Raw Materials-Origin Identification
Comment Deadline Date - **Enforcement Date -** 12/23/01 **WTO Type/Number -** TBT MEX/15

Objective - Safety

Description - This Emergency Official Mexican Standard NOM-EM-001-RECNAT-2001 establishes the following:

1. That environmental degradation has severely affected the forest ecosystems as a result of excessive logging and the growth of the agricultural and livestock sector which have led to the widespread removal of forest stands, for which reason the conservation and sustainable use of forest resources has become a matter of national priority, since plantation and reforestation do not keep pace with deforestation.

1.1. That irrational management of natural resources in the forest ecosystems has resulted in soil degradation and the disappearance of plant cover in forests, and consequently the death and extinction of valuable plant and animal species.

1.2. That the severe degradation of forest and water resources - a strategic pair in terms of national security - must be tackled decisively as a matter of urgency.

1.3. That measures to both protect and quickly increase forest cover, as well as to conserve currently critically threatened natural resources, will shortly be implemented. Description of content: (cont'd)

1.4. That control systems regulating the legal origin of forestry raw materials must be established to guarantee the sustainability of forest ecosystems.

1.5. That the main cause of the water shortage is forest disappearance, which alters the rain cycle and the filtration of rain back into, thus replenishing, the water table.

1.6. That clandestine timber felling activities have a serious negative impact on the forest ecosystem and give rise to a higher incidence of pests, diseases and forest fires.

1.7. That it is imperative to put a stop to irregularities with regard to the extraction of forest resources which result in the degradation of forests and other components of the forest ecosystem.

1.8. That effective action guaranteeing the conservation and sustainable development of forest ecosystems must be taken.

1.9. That forest disappearance and its impact on watersheds are related to the sedimentation of rivers and dams, as well as floods and other natural disasters which have become increasingly common and serious.

- 1.10. That regenerating and recovering forestry resources and the forest ecosystem is a matter of national security.
- 1.11. That ongoing action needs to be carried out in favour of the conservation, restoration and sustainable use of forestry resources.
- 1.12. That illegal and clandestine timber felling activities trigger off a sharp acceleration in the degradation and disappearance of forest resources.
- 1.13. That Article 22 of the Forestry Law establishes that persons who transport or engage in commercial activities or the processing of timber-yielding forestry raw materials shall ensure, pursuant to the Regulations of this Law and the Official Mexican Standards issued by the Ministry, that they originate from authorized felling activities.
- 1.14. That there is currently a proliferation of cases of forgery, duplication and reuse of the forms used for monitoring the legal origin of forestry raw materials, leading to a surge in clandestine felling activities and the illegal transport of forest resources and inciting corruption detrimental to forest ecosystems, for which reason the various sectors of forestry activity have asked the Ministry to prepare an Emergency Official Mexican Standard.
- 1.15. That controls identifying the legal origin of forestry raw materials in a standard and uniform manner throughout the national territory are urgently required.
- 1.16. That clandestine deforestation results in forest degradation and has a severe impact on soil, water retention and carbon sequestration.
- 1.17. That there is a pressing need for soil erosion to be prevented and controlled and restoration work undertaken. Description of content: (cont'd)
- 1.18. That the multiple use of forest ecosystems must be promoted to prevent their fragmentation, encourage their natural regeneration and protect the species therein.
- 1.19. That there is an urgent need to promote the conservation and sustainable development of forest resources, as well as prevention, advocacy and protection activities, in order to reverse the degradation of forest ecosystems.
2. That this Emergency Official Mexican Standard is binding throughout the national territory and aims to establish the specifications, procedures and technical and control guidelines for identifying the legal origin of forestry raw materials.
- 2.1. That this Emergency Official Mexican Standard shall be binding on natural and legal persons engaged in activities relating to the use, transport, storage and processing of forestry raw materials.

FSTSD # 02.0054 **Country -** United States of A **Product -** Chromated Copper Arsenate Products
Comment Deadline Date - 3/25/2002 **Enforcement Date -** **WTO Type/Number -** TBT USA/17

Objective - To cancel certain chromated copper arsenate (CCA) wood preservative products and amend to terminate certain uses of CCA products.

Description - Pursuant to section 6(f) (1) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, the Environmental Protection Agency (EPA) is issuing a notice of receipt of requests from registrants of affected chromated copper arsenate (CCA) products to cancel certain products and to amend to terminate certain uses of other CCA products. These requests were submitted to EPA in February 2002. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of these requests. Upon acceptance of these requests, any sale, distribution, or use of products listed in this notice will only be permitted if such distribution, sale, or use is consistent with the terms as described in this notice.

End of Report.